

REMARKS

Claims remaining in the present patent application are Claims 1-6 and 13-24. The Applicants respectfully request reconsideration of the above captioned patent application in view of the following remarks.

U.S.C. § 102

Claims 1-3, 3-15 and 19-21 stand rejected under 35 U.S.C. § 102(e) as being allegedly unpatentable over Larsson (US 6,697,638, "Larsson"). Applicants assert that Claims 1-3, 3-15 and 19-21 are patentable over Larsson for the following reasons.

With respect to independent Claim 13, Applicants respectfully assert that Larsson fails to teach or suggest the claimed limitations of:

in response to a request from said first hand-held computer system to establish communication between said first and second hand-held computer systems, accessing said device identification of said first hand-held computer system on said second hand-held computer system

as recited by Claim 13.

In contrast, Larsson is directed to a radio integrated into an automobile (e.g., a “car kit”). Applicants respectfully assert that a car kit installed in an automobile fails to teach or suggest the claimed limitations of first and/or second “hand-held” computer systems. Moreover, Larsson’s teaching of car specific events, e.g., “detecting the door being opened,” leads away from hand-held devices, which do not have such features, e.g., passenger entry doors.

For this reason, Applicants respectfully assert that Claim 13 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

In the “Response to Arguments” section, the rejection alleges that the taught “car kit” is “light weight and portable (or handheld).” Applicants traverse. The alleged teaching is not to be found in the reference. For example, the terms “weight” or “mass” do not appear in the cited reference. Applicants assert that any reference, including Larsson, is fundamentally unable to teach or suggest that something is “light weight,” as alleged by the rejection, without the use of terms related to weight. Accordingly, Larsson does not teach that anything, much less the taught “car kit,” is “light weight.”

The Examiner is invited to introduce additional evidence to demonstrate that “car kits” are inherently “light weight and portable (or handheld)” as alleged, or to withdraw the rejection.

In addition, Applicants respectfully assert that the cited reference teaches a “vehicle-mounted phone part 160” (line 38 *et seq.*, emphasis added). In alleging a teaching of “hand held,” the rejection ignores the plain meaning of “hand held,” and further ignores the plain meaning of “vehicle-mounted,” which directly teaches away from “hand held.”

Moreover, Larsson specifically teaches that the “car kit” is “powered from the automobile’s battery” and further requires use of the “external antenna on the automobile” (column 2 lines 40-43). Applicants assert that one of ordinary skill in the art would not understand a device requiring an automobile battery, which may weigh in excess of 40 pounds, and further requires an antenna attached to an automobile, which may weigh several thousand pounds, to be “lightweight,” “portable” or “handheld” as alleged by the rejection.

The Examiner is invited to introduce additional evidence to demonstrate that systems requiring an “automobile’s battery” and use of the “external antenna on the automobile” are inherently “light weight and portable (or handheld)” as alleged, or to withdraw the rejection.

Applicants respectfully assert that Claims 14-18 overcome the rejections of record by virtue of their dependency, and respectfully solicit allowance of these Claims.

Claims 1-3 and 19-21 stand rejected for the same reasons as set forth in Claims 13-15, “as method.” Applicants respectfully assert that Claims 1-3 and 19-21 overcome the rejections of record for at least the rationale previously presented with respect to Claim 13, and respectfully solicit allowance of these Claims.

U.S.C. § 103

Claims 4, 5, 16, 17, 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Larsson (US 6,697,638, “Larsson”) in view of Phillipps (WO 02/09362, “Phillipps”). Applicants respectfully assert that embodiments of the present invention as recited in Claims 4, 5, 16, 17, 22 and 23 are patentable over Larsson in view of Phillipps for the following reasons.

Applicants respectfully assert that Claims 4, 5, 16, 17, 22 and 23 overcome the rejections of record by virtue of their dependency, and respectfully solicit allowance of these Claims.

In addition with respect to Claim 16, Applicants respectfully assert that Larsson in view of Phillipps fails to teach or suggest the claimed limitations of “displaying a representation of said device identification on a display of said second hand-held computer system” as recited by Claim 16. The rejection concedes that Larsson does not mention this element, and introduces Phillipps to correct this deficiency of Larsson.

In contrast, Larsson is directed to a radio integrated into an automobile (e.g., a “car kit”). Applicants respectfully assert that a car kit installed in an automobile fails to teach or suggest the claimed limitations of first and/or

second “hand-held” computer systems. Moreover, Larsson’s teaching of car specific events, e.g., “detecting the door being opened,” leads away from hand-held devices, which do not have such features, e.g., passenger entry doors. For this additional reason, Applicants respectfully assert that Claim 16 overcomes the rejections of record, and respectfully solicit allowance of this Claim.

Claims 6, 18 and 24 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Larsson (US 6,697,638, “Larsson”) in view of Johansson et al. (US 2002/0044549, “Johansson”). Applicants respectfully assert that embodiments of the present invention as recited in Claims 6, 18 and 24 are patentable over Larsson in view of Johansson for the following reasons.

Applicants respectfully assert that Claims 6, 18 and 24 overcome the rejections of record by virtue of their dependency, and respectfully solicit allowance of these Claims.

In addition with respect to Claims 6, 18 and 24, Applicants respectfully assert that Larsson in view of Johansson fails to teach or suggest the claimed limitations of “responsive to a failure of (establishing a Bluetooth connection between said second hand held computer system and said first hand held computer system), beginning said Bluetooth discovery process” as recited by Claims 6, 18 and 24.

In contrast, Larsson is directed to a radio integrated into an automobile (e.g., a “car kit”). Applicants respectfully assert that a car kit installed in an automobile fails to teach or suggest the claimed limitations of first and/or second “hand-held” computer systems. Moreover, Larsson’s teaching of car specific events, e.g., “detecting the door being opened,” leads away from hand-held devices, which do not have such features, e.g., passenger entry doors. For this additional reason, Applicants respectfully assert that Claims 6, 18 and 24 overcome the rejections of record, and respectfully solicit allowance of these Claims.

CONCLUSION

Claims remaining in the present Patent Application are Claims 1-6 and 13-24. The Applicants respectfully request reconsideration of the above captioned patent application.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 504160.

Respectfully submitted,

MURABITO, HAO & BARNES LLP

Date: 1-05-2010

/Anthony C. Murabito/
Anthony C. Murabito
Reg. No. 35,295

Two North Market Street
Third Floor
San Jose, California 95113
(408) 938-9060